S.B. Criminal Misc. Bail Application No.3329/2006

Date : 03.08.2006

HON'BLE MR.SATYA PRAKASH PATHAK, J.

Mr. R.K. Charan)
Miss Pragya Ojha)for the applicant.
Mr. D.D. Kalla for Union of India.

I have heard learned counsel for the applicant as well as the learned counsel appearing for Union of India and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that only on the basis of statement of the co-accused, the present accused-applicant has been involved in this case and the contraband material recovered is below commercial quantity. He further submits that no investigation is to be made from the applicant and the accused-applicant is in jail, therefore, he may be enlarged on bail.

On the other hand, learned counsel for Union of India has opposed the bail application.

I have considered the submissions made before me and perused the material available on record.

Taking into consideration overall facts and circumstances of the case, I deem it just and proper to allow the bail application. Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that the applicant Jai Singh son of Pokhar Baori shall be released on bail in FIR No.01/2006 of C.B.N., Bhilwara, provided he executes a personal bond in the sum of Rs.30,000/- with two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(SATYA PRAKASH PATHAK), J.

vijayant